

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 7816 of 2005

Between:

Sri Balaji Educational & Rural Development Society, 40/30/10, Bhagyanagar,
Kurnool, Kurnool District, rep., by its Correspondent R.Srinivasa rao

..... PETITIONER

AND

1 The Principal Secretary, Government of Andhra Pradesh, Medical and

Health Department, Secretariat, Hyderabad.

2 The Director of Medical Education, Govt. of A.P., Sultan Bazar, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondent in not issuing Government Order to start R.R.School of Nursing to the petitioner's society is illegal, arbitrary and violation of the principles of natural justice and consequently direct the respondents to consider the representation of the petitioner dated 22-2-2005 for starting School of Nursing at Kurnool, and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.VADDIPAMULETY

Counsel for the Respondents: GP FOR MEDICAL HEALTH & FAMI.WELFARE

The Court made the following :

ORDER:

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This writ petition is filed seeking a writ of Mandamus declaring the action of the respondents in not passing the orders to establish R.R. School of Nursing by the petitioner-Society as arbitrary and illegal.

It is stated that the petitioner-Society, in pursuance of the notification issued by the Chairman, Selection Committee for Paramedical Institutions, has submitted its application complying with all the requirements. However, since the Selection Committee was disbanded, the Government under G.O.Ms.No.158 authorised the Director of Medical Education to inspect the Educational Societies who intend to start School of Nursing. Accordingly, an inspection team was appointed and the same has inspected the petitioner-Society and submitted its report. However, the second respondent-Director of Medical Education has failed to forward the said report to the first respondent, and the respondents have failed to take any further steps and no orders have been passed so far. In those circumstances, the petitioner-Society made a representation dated 22-02-2005 requesting the respondents to accord permission to start R.R. School of Nursing, however, the same has not been considered. Hence, this writ petition.

I have heard the learned counsel for the petitioner-society and the

learned Government Pleader for Medical Health and Family Welfare appearing for the respondents.

Having regard to the facts and circumstances of the case and particularly in view of the fact that the Inspection Team has already submitted its report, I deem it appropriate to dispose of the writ petition with a direction to the respondents to consider the representation dated 22-02-2005 submitted by the petitioner-Society and pass appropriate orders, in accordance with law, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order and communicate the same to the petitioner-Society.

The writ petition is accordingly disposed of. No order as to costs.

(G. ROHINI, J)

Date: 08-04-2005

ghn

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To

1 The Principal Secretary, Government of Andhra Pradesh, Medical and Health Department, Secretariat, Hyderabad.

2 The Director of Medical Education, Govt. of A.P., Sultan Bazar, Hyderabad.

3 Two C.Cs to the Government Pleader for Medical, Health and Family Welfare, High Court Buildings, A.P., Hyderabad (OUT)

4 Two C.D copies.